

## REMARKS

### Restriction Requirement

In the Office Action mailed May 13, 2004, the Examiner required restriction to one of the following Groups:

- I. Claims 1-3, drawn to recombinant Haemophilus adhesion proteins;
- II. Claims 4-8, drawn to nucleic acid, and
- III. Claims 9, 10 and 12, drawn to vaccines comprising a carrier and a Haemophilus adhesion and penetration protein and methods of treating or preventing *H. influenzae* infection.

Applicant respectfully submits that in the Preliminary Amendment filed with the instant application on August 20, 2003 (a copy of which is attached) claims 1-7 and 9-12 were canceled and new claims 13-24 were added. The amended and new claims are presented in the above List of Claims. Applicant requests entry of the List of Claims and requests that the Examiner proceed with examination of claims 8 and 13-24.


Applicants respectfully submit that the claims are in condition for allowance and an early notification of such is solicited.

Please direct any calls in connection with this application to the undersigned at (415) 781-1989.

Respectfully submitted,  
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Date June 2, 2004

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